

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FERRING PHARMACEUTICALS INC.,
FERRING B.V., and
FERRING INTERNATIONAL CENTER S.A.,

Plaintiffs,

v.

SERENITY PHARMACEUTICALS, LLC, and
REPRISE BIOPHARMACEUTICS, LLC,

Defendants.

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) C.A. No. 1:17-cv-09922 (RWS)

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) ECF Case
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SERENITY PHARMACEUTICALS, LLC,
REPRISE BIOPHARMACEUTICS, LLC, and
AVADEL SPECIALTY
PHARMACEUTICALS, LLC,

Counterclaim-Plaintiffs,

v.

FERRING B.V., FERRING INTERNATIONAL
CENTER S.A., and FERRING
PHARMACEUTICALS INC.,

Counterclaim-Defendants.

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**FERRING’S NOTICE OF MOTION FOR LEAVE TO FILE
(1) SECOND AMENDED COMPLAINT FOR DECLARATORY JUDGMENT
AND (2) REPLY TO COUNTERCLAIMS AND AFFIRMATIVE DEFENSES,
AND AMENDED COUNTERCLAIMS IN REPLY**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated October 1, 2018 and all prior pleadings and proceedings in this action, plaintiffs Ferring Pharmaceuticals Inc., Ferring B.V., and Ferring International Center S.A., (collectively

“Ferring”), by and through their undersigned counsel, will move this Court, before the Honorable Robert W. Sweet, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, on November 7, 2018, at 12:00 p.m. for an order granting Ferring leave to file its (1) Second Amended Complaint for Declaratory Judgment and (2) Reply to Counterclaims and Affirmative Defenses, and Amended Counterclaims in Reply.

PLEASE TAKE FURTHER NOTICE, that pursuant to Local Civil Rule 6.1, opposition papers must be served and filed on or before October 15, 2018, and reply papers must be served and filed on or before October 22, 2018.

Dated: October 1, 2018

GIBBONS P.C.

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